

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CARL DUTTON and KATHRYN A. DUTTON,)	
husband and wife,)	
)	
Plaintiffs,)	
)	
v.)	No. CIV-13-66-D
)	
MERIT ENERGY COMPANY, LLC,)	
a Delaware limited liability company,)	
)	
Defendant.)	

ORDER

Before the Court is the parties' Joint Motion for Agreed Protective Order [Doc. No. 12]. The parties submit for the Court's approval a proposed order reflecting their agreement concerning the production and use of confidential documents and information in this litigation.

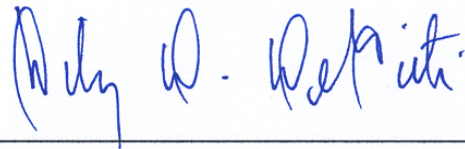
Although the proposed order is generally acceptable to the Court, it is deficient in that it fails to incorporate the requirements of the ECF provisions governing the filing of documents under seal. At paragraph 3 of the proposed order, the parties suggest that documents designated as confidential shall be filed under seal; however, there is no reference to the procedures required to comply with the ECF Policies and Procedures Manual, § III.A regarding the filing of documents under seal. The Court requires that protective orders not only recite the applicable ECF provisions, but that they also set out the ECF requirements for filing sealed documents, the redaction of material from partially sealed documents, the requirement that leave of Court be granted in advance of filing under seal, and all other pertinent ECF provisions.

Accordingly, the proposed order is rejected as submitted. However, the parties may revise the proposed order to include language requiring compliance with the ECF policies and procedures,

including but not limited to the requirement that Court approval be obtained prior to filing documents under seal and the procedures regarding redaction of documents. The parties may submit a revised order to the Court for consideration.

For the foregoing reasons, the motion [Doc. No. 12] is DENIED, without prejudice to the resubmission of a proposed order which complies with the directions set forth herein.

IT IS SO ORDERED this 1st day of April, 2013.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE